

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

PAUL CAMPBELL,

Plaintiff,

v.

CORECIVIC, MDOC, and DOJ
EMPLOYEES OF CROSSROAD
CORRECTIONAL CENTER, et al.,

Defendants.

CV-18-131-GF-BMM-JTJ

**ORDER ADOPTING MAGISTRATE
JUDGE'S FINDINGS AND
RECOMMENDATIONS**

Plaintiff Paul Campbell, a prisoner proceeding without counsel, filed a Complaint on October 9, 2018. (Doc. 1). The Court issued an Order finding that the Complaint failed to state a claim for relief and was subject to dismissal. (Doc. 8). The Court provided Mr. Campbell with an opportunity to file an amended complaint and was specifically advised that if he failed to correct the defects in his Complaint, the Court would recommend that this matter be dismissed. *Id.*

Mr. Campbell failed to file an amended complaint. Magistrate Judge Johnston determined that Mr. Campbell has failed to state a federal claim upon

which relief may be granted. Judge Johnston recommends that this matter be dismissed. (Doc. 9 at 1-2).

No party filed objections to Judge Johnston's Findings and Recommendations. The Court has reviewed Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations and adopts them in full.

ORDER

Accordingly, **IT IS ORDERED** that Magistrate Judge Johnston's Findings and Recommendations (Doc. 9) are **ADOPTED IN FULL**.

IT IS ORDERED that Mr. Campbell's action be **DISMISSED** for failure to state a federal claim.

The Clerk of the Court is directed to close this matter and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

The Clerk of Court is directed to have the docket reflect that the Court certifies pursuant to Rule 24(a)(3)(A) of the Federal Rules of Appellate Procedure that any appeal of this decision would not be taken in good faith. No reasonable person could suppose an appeal would have merit. The record makes plain the Complaints lack arguable substance in law or fact

The Clerk of Court is directed to have the docket reflect that this dismissal counts as a strike pursuant to 28 U.S.C. § 1915(g) because Mr. Campbell failed to state a claim upon which relief may be granted.

DATED this 24th day of June, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris
United States District Court Judge